IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6838 OF 2005

Shri Deu Bhikaji Keluskar : Petitioner

(Orig. Applicant)

V/s.

Shri Ramesh Gopal Parab & Ors. : Respondents

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Mr.R.L.Majgaonkar for the petitioner.

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CORAM : S.A. BOBDE, J.

October 11, 2005.

P.C.:

1. This petition is directed against the order dated 17.8.2005 passed by the Addl. Commissioner, Konkan Division, Mumbai. The petitioner had filed a revision against the order dated 30.10.2004 passed by the Addl. Collector, Sindhudurg, in a RTS appeal.

2. The dispute is regarding mutation entry no.408. The learned Addl. Commissioner has found that the Circle Officer was bound to implement the order of the civil Court and he had no discretion for cancelling mutation entry no.408. According to the learned Addl.

Commissioner, the order of the S.D.O. in appeal no.64/99 has rectified the aforesaid illegality and has been rightly confirmed by the Addl. Collector, Sindhudurg, on 30.10.2004. In this view of the matter, there is no reason to interfere with the impugned order.

3. The petition is, therefore, dismissed.

S.A. BOBDE, J.